

<i>SERFF Tracking Number:</i>	<i>PERR-125561672</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Employer's Fire Insurance Company</i>	<i>State Tracking Number:</i>	<i>#102044 \$100</i>
<i>Company Tracking Number:</i>	<i>OBIC-PL-ELS-AR-08-01-R</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0019 Professional Errors &amp; Omissions Liability</i>
<i>Product Name:</i>	<i>Entertainment, Leisure and Sports</i>		
<i>Project Name/Number:</i>	<i>OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R</i>		

## Filing at a Glance

Company: Employer's Fire Insurance Company

Product Name: Entertainment, Leisure and Sports      SERFF Tr Num: PERR-125561672      State: Arkansas

Sports

TOI: 17.0 Other Liability - Claims      SERFF Status: Closed      State Tr Num: #102044 \$100

Made/Occurrence

Sub-TOI: 17.0019 Professional Errors & Omissions Liability      Co Tr Num: OBIC-PL-ELS-AR-08-01-R      State Status: Fees verified and received

Filing Type: Rate/Rule      Co Status:      Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Authors: Neresia Torres, Olga E.      Disposition Date: 05/07/2008

Burciaga

Date Submitted: 03/20/2008      Disposition Status: Filed

Effective Date Requested (New): 04/19/2008

Effective Date (New):

Effective Date Requested (Renewal): On Approval

Effective Date (Renewal):

State Filing Description:

## General Information

Project Name: OBIC-PL-ELS-AR-08-01-R

Status of Filing in Domicile: Pending

Project Number: OBIC-PL-ELS-AR-08-01-R

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 05/07/2008

State Status Changed: 03/27/2008

Deemer Date:

Corresponding Filing Tracking Number: OBIC-PL-ELS-AR-08-01-F

Filing Description:

On behalf of Employers' Fire Insurance Company (the "Company"), we are submitting this filing to introduce a new Entertainment, Leisure and Sports Program. Please see the enclosed memorandum and supporting material for more detailed information.

<i>SERFF Tracking Number:</i>	<i>PERR-125561672</i>	<i>State:</i>	<i>Arkansas</i>
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<i>Product Name:</i>	<i>Entertainment, Leisure and Sports</i>		
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The Company respectfully requests that the proposed rates and rules be implemented for all policies effective April 19, 2008 or upon earliest possible date of acknowledgment or approval.

Also included is authorization for Perr&Knight to submit this filing on behalf of the captioned Company. All correspondence related to this filing should be directed to Perr&Knight. The captioned Company has prepared the rates and rules contained in this filing. If there are any requests for additional information related to items prepared by the Company, we will forward the request immediately to the Company. We will submit the Company's response to your attention as soon as we receive it.

We trust you will find this submission acceptable, and as such look forward to your approval. Please do not hesitate to contact us with any questions or comments.

## Company and Contact

### Filing Contact Information

(This filing was made by a third party - perrandknightactuaryconsultants)

Neresa Torres, State Filings Project Coordinator	doi@perrknight.com
881 Alma Real Drive	(888) 201-5123 [Phone]
Pacific Palisades, CA 90272	(310) 230-8529[FAX]

### Filing Company Information

Employer's Fire Insurance Company	CoCode: 20648	State of Domicile: Massachusetts
44 Whippany Road	Group Code: 1129	Company Type:
Morristown, NJ 07962	Group Name:	State ID Number:
(310) 230-9339 ext. 120[Phone]	FEIN Number: 04-1288420	

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## Filing Fees

Fee Required?	Yes
Fee Amount:	\$100.00
Retaliatory?	No

<i>SERFF Tracking Number:</i>	<i>PERR-125561672</i>	<i>State:</i>	<i>Arkansas</i>
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<i>Product Name:</i>	<i>Entertainment, Leisure and Sports</i>		
<i>Project Name/Number:</i>	<i>OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R</i>		
<b>Fee Explanation:</b>	<b>\$100 for Rate/Rule Filing</b>		
<b>Per Company:</b>	<b>No</b>		

SERFF Tracking Number: PERR-125561672 State: Arkansas  
Filing Company: Employer's Fire Insurance Company State Tracking Number: #102044 \$100  
Company Tracking Number: OBIC-PL-ELS-AR-08-01-R  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions  
Liability  
Product Name: Entertainment, Leisure and Sports  
Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Employer's Fire Insurance Company	\$0.00	03/20/2008	

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
102044	\$100.00	03/06/2008

SERFF Tracking Number: PERR-125561672 State: Arkansas

Filing Company: Employer's Fire Insurance Company State Tracking Number: #102044 \$100

Company Tracking Number: OBIC-PL-ELS-AR-08-01-R

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions Liability

Product Name: Entertainment, Leisure and Sports

Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

## Correspondence Summary

### Dispositions

Status	Created By			Created On		Date Submitted
Filed	Edith Roberts			05/07/2008		05/07/2008
Objection Letters and Response Letters						
Objection Letters				Response Letters		
Status	Created By	Created On	Date Submitted	Responded By	Created On	Date Submitted
Pending	Edith Roberts	03/27/2008	03/27/2008	Neresa Torres	04/21/2008	04/22/2008
Industry						
Response						

SERFF Tracking Number:	PERR-125561672	State:	Arkansas
Filing Company:	Employer's Fire Insurance Company	State Tracking Number:	#102044 \$100
Company Tracking Number:	OBIC-PL-ELS-AR-08-01-R		
TOI:	17.0 Other Liability - Claims Made/Occurrence	Sub-TOI:	17.0019 Professional Errors & Omissions Liability
Product Name:	Entertainment, Leisure and Sports		
Project Name/Number:	OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R		

## Disposition

Disposition Date: 05/07/2008

Effective Date (New):

Effective Date (Renewal):

Status: Filed

Comment:

Company Name:	Overall % Rate Impact:	Written Premium Change for this Program:	# of Policy Holders Affected for this Program:	Premium:	Maximum % Change (where required):	Minimum % Change (where required):	Overall % Indicated Change:
Employer's Fire Insurance Company	%	\$		\$	%	%	%

SERFF Tracking Number: PERR-125561672 State: Arkansas

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Product Name: Entertainment, Leisure and Sports

Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Filed	Yes
Supporting Document	NAIC Loss Cost Filing Document for OTHER than Workers' Comp	Filed	Yes
Supporting Document	NAIC loss cost data entry document	Filed	Yes
Supporting Document	Memo and Letter of Authorization	Filed	Yes
Rate	Rating Manual	Filed	Yes
Rate (revised)	Arkansas Exception Page	Filed	Yes
Rate	Arkansas Exception Page	Filed	Yes

SERFF Tracking Number: PERR-125561672 State: Arkansas  
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TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions Liability  
Product Name: Entertainment, Leisure and Sports  
Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

## Objection Letter

Objection Letter Status Pending Industry Response  
Objection Letter Date 03/27/2008  
Submitted Date 03/27/2008  
Respond By Date  
Dear Neresia Torres,

This will acknowledge receipt of the captioned filing.

With reference to Page 3, paragraph 1, Media Perils Coverage, you must allow 60 days rather than 30 to elect the supplemental Extended Reporting Period. Also, the basic extended reporting period must be 60 days, rather than 30. Please reference AR Code Anno 23-79-306 (2-3).

Please feel free to contact me if you have questions.

Sincerely,  
Edith Roberts

## Response Letter

Response Letter Status Submitted to State  
Response Letter Date 04/21/2008  
Submitted Date 04/22/2008

Dear Edith Roberts,

### Comments:

#### Response 1

Comments: Thank you for your continued review of this filing. Employers' Fire Insurance Company offers the following response to your concern.

Attached is the Arkansas Exception pages to the filed manual which changes from 30 to 60 days the time period for the insured to accept the extended reporting period endorsement.

We trust that this additional information will allow you to continue your review of this filing.



SERFF Tracking Number: PERR-125561672 State: Arkansas  
Filing Company: Employer's Fire Insurance Company State Tracking Number: #102044 \$100  
Company Tracking Number: OBIC-PL-ELS-AR-08-01-R  
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions Liability  
Product Name: Entertainment, Leisure and Sports  
Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

**Changed Items:**

No Supporting Documents changed.

No Form Schedule items changed.

**Rate/Rule Schedule Item Changes**

Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing #
Arkansas Exception Page	Page 1 of 1	New	
<b>Previous Version</b>			
Arkansas Exception Page	Page 1 of 1	New	

Sincerely,  
Neresa Torres, Olga E. Burciaga

SERFF Tracking Number:	PERR-125561672	State:	Arkansas
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Project Name/Number:	OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R		

## Rate Information

Rate data applies to filing.

<b>Filing Method:</b>	Prior Approval
<b>Rate Change Type:</b>	Neutral
<b>Overall Percentage of Last Rate Revision:</b>	Neutral
<b>Effective Date of Last Rate Revision:</b>	
<b>Filing Method of Last Filing:</b>	

## Company Rate Information

Company Name:	Overall % Indicated Change:	Overall % Rate Impact:	Written Premium Change for this Program:	# of Policy Holders Affected for this Program:	Premium:	Maximum % Change (where required):	Minimum % Change (where required):
Employer's Fire Insurance Company	%	%				%	%

SERFF Tracking Number: PERR-125561672 State: Arkansas

Filing Company: Employer's Fire Insurance Company State Tracking Number: #102044 \$100

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TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions Liability

Product Name: Entertainment, Leisure and Sports

Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

## Rate/Rule Schedule

Review Status:	Exhibit Name:	Rule # or Page #:	Rate Action	Previous State Filing Attachments Number:
Filed	Rating Manual	Page 1 thru 22	New	Media Filing and Rating Guide_022008.pdf
Filed	Arkansas Exception Page	Page 1 of 1	New	Media Perils Range Manual 2008 Exception Page ARKANSAS.pdf

# **Media Perils Filing & Rate Manual**

# Table of Contents

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Introduction.....	- 3 -
Description of Coverage .....	- 3 -
Risk Classifications.....	- 3 -
Class Points Table.....	- 4 -
General & Live Performance:.....	- 4 -
Additional Exposures.....	- 5 -
Motion Picture Television, Filming or Publishing Activity .....	- 6 -
Motion Picture Subject Matter and Content .....	- 6 -
Distribution or Library Exposures & Development.....	- 7 -
Music Exposures including Composers.....	- 7 -
Computer or Web Exposures .....	- 8 -
Attorney & Clearance of the Risk.....	- 8 -
Class of Business Underwriting.....	- 11 -
General Rules.....	- 13 -
1. Policy Term.....	- 13 -
2. Rounding Procedure.....	- 13 -
3. Additional and Return Premium Changes .....	- 13 -
4. Policy Cancellations.....	- 13 -
Rating Rules.....	- 14 -
1. Basic Rates.....	- 14 -
2. Range Rates .....	- 14 -
3. Rate Determination .....	- 14 -
4. Premium Computation.....	- 14 -
5. Coverage Adjustment Factors.....	- 15 -
6. Subject Matter/Content Surcharge.....	- 17 -
7. Minimum Premiums .....	- 17 -
Rates.....	- 18 -
1. Motion Picture and Television Production .....	- 18 -
2. Commercial Producers, Training Films, Industrials, Second Unit and Other Short Subject Productions Blanket Development and Library Policies .....	- 18 -
3. Motion Picture & Television Studio Accounts Development and Library Coverage .....	- 19 -
4. Film Blanket Development, Library, Television, Cable or Motion Picture .....	- 19 -
5. Film, Television or Cable Distributors Blanket Coverage, Including Library Coverage .....	- 19 -
7. Theatrical Performances .....	- 20 -
8. TV Strip Shows.....	- 20 -
9. Individual Performances, Music or Variety Live Performances .....	- 20 -
10. Performers/Talent .....	- 20 -
Subject Matter Surcharge.....	- 21 -
11. Merchandising, Sound Track and CD Rom.....	- 21 -
12. Composers Music Blanket Coverage, Including Library Coverage .....	- 21 -
13. Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage ..	- 21 -
14. Music Publishers.....	- 22 -
15. Publications Companies Blanket Coverage, Including Library Coverage .....	- 22 -
16. Websites, Internet Coverage .....	- 22 -

# Introduction

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These Underwriting Guidelines contain the rules, rates, rating procedures and descriptions of coverage for the Media Perils Insurance Policy.

Any questions regarding the contents should be referred to the Director of Underwriting.

## Description of Coverage

The Media Perils Insurance policy provides coverage for:

1. Media Perils Coverage

Liability for damages arising out of Wrongful Acts committed in the course of the Named Insured's Declared Production Activities and/or Business Activities whether in connection with a specific project or standard business practices. Coverage applies on a claims-made basis. The policy contains an Extended Reporting Period with respect to claims arising out of a Wrongful Act and the Named Insured has 30 days to elect the ERP. There is a 30 day post policy reporting provision with respect to a Wrongful Act that occurred during the Policy Period however not yet reported. Prior Acts are not excluded. The Policy does however have a Pending and Prior date to exclude Wrongful Acts underlying or alleged in any prior or pending litigation brought prior to such date.

2. Indemnities Coverage

Coverage is extended to third party indemnitees with which an Insured has a written contract obligating the Insured to indemnify, hold harmless or defend such third party against claims brought by another third party arising out of a Declared Production Activity.

3. Court Injunction Coverage

Defense against Suits seeking an injunction against any exhibition, publication or performance of a Specific Production because of a Wrongful Act to which Media Perils Insurance applies.

Defense Costs reduce the Limit of Liability.

For full details of coverage, refer to the Coverage Form **EBI EO 200**.

## Risk Classifications

Classification of a risk will be based off of the points provided to each underwriting criteria provided below, in a summary format:

The underwriter will review the type of events held at the venue to be insured against the attached schedule in order to determine the correct classification to be applied to the individual risk, coupled with all the previous details.

This table below is applicable to ALL rate, deductible or limit ranges in this guide.

Class
1. Bottom to middle of rate range
2. Just below to above the middle of the rate range
3. Above the middle of the rate range
4. Maximum to above maximum rates

The underwriter is to choose the most appropriate class based on the results of the above. The range between the Classes below is determined by a point system ranging from the total potential points within a class and the number of criteria as stated below in the tables, up to approximately half of the points available in the class immediately above.

The Mean; which is the average classification.

The Mode which is the most occurring classification.

The weighted average which is the Mean plus the highest classification added.

### Class Points Table

Class	Points	Total Points
1	1	21-30
2	2	30-50
3	3	50-70
4	4	71<

The following factors should be considered when assigning a Risk Hazard Classification. However, it is not possible to identify all hazards in this guide. The underwriter, therefore, should exercise good judgment in the identification of additional hazards or aspects of a risk that would make it a higher or lower Risk Hazard than the indicated classification. With proper factual documentation and reasoning, individual Risk Hazard Classifications may be changed to reflect the actual hazards on a particular risk that are different from the usual exposures contemplated in the Risk Hazard Classifications.

The rating plan does not contemplate any substantial shift in trends involving legal environment, loss severity or newly emerging exposures not previously contemplated in the pricing of the risk or underlying layers. In the event that the Company either experiences or witnesses such a shift in trends, the file shall be clearly documented to reflect the increased exposure detailing the trend observations and judgement pricing should be utilized.

***Assign each question below with the applicable risk classification and respective points as described above. The total points will generate an overall assessment of the risk per the Classes described above.***

### General & Live Performance:

1. **Applicant's Experience (Including the Producers & creators such as writers and composers) .....**
  - Five years ..... Class 1
  - Three years..... Class 2
  - Two years ..... Class 3
  - Less than two years..... Class 4
2. **Loss History .....**
  - None known or likely against the work(s) or the producer or creator of the work(s) ..... Class 1 or 2
  - Minor known or likely claims that can be dealt with by imposition of a higher deductible..... Class 3
  - Known or likely claims against the work(s); Prior cancellation of similar coverage ..... Class 4
3. **Performers of the Work(s) & Potential Returns.....**
  - No known names in intended release format;
  - No controversy behind any individuals involved in the work(s) ..... Class 1

**Underwriting  
Risk Hazard Classifications**

- 5 -

- No known names in the U.S., Canada or U.K. in the intended release format;  
No criminal or major controversy behind any individuals involved in the work(s) .....Class 2
- No Superstar performers (Schedule A);  
No criminal controversy behind any individuals involved in the work(s) .....Class 3
- Superstar performers in the work(s) or has a criminal record .....Class 4
- 4. Distribution of the Work(s) or Events**.....
- Not intended to be released in the U.S., Canada, Western Europe, Australia or U.K. ....Class 1
- Not intended to be released in the U.S. Product advertised on web.....Class 2
- Limited release in the U.S. Product advertised & a web site set up.....Class 3
- Wide release in the U.S & World Wide. Internet release of product .....Class 4
- 5. Market Potential of the Work(s) (In the Underwriter's Opinion) Number of Exposures**.....
- Very little & a one off exposure.....Class 1
- Some & limited number released over a very short time period .....Class 2
- Fairly Good & intended to be released for a long period in a number of formats .....Class 3
- Blockbuster & to be released continuously in all formats .....Class 4
- 6. Portrayal of Living or Deceased Persons in the Work(s) or on the Website**.....
- None .....Class 1
- Full releases from the persons and families; All names changed and unrecognizable .....Class 2
- Portrayed in a good manner; Major releases obtained from persons and families.....Class 3
- Portrayed in a negative manner; Some major releases not obtained from persons & families .....Class 4
- 7. Portrayal of Actual Events in the Work(s)**.....
- None .....Class 1
- No direct reference to the events .....Class 2
- Portrayal but no changes to enhance the story line .....Class 3
- Changes to enhance the story line .....Class 4
- 8. Extent of Controversial Subject Matter in the Work(s) or on the Website**.....
- None depicted.....Class 1
- No political, religious, business commentary or personal attacks.....Class 2
- Some of the above done as in a format protected about public figures .....Class 3
- Above attacks done in a controversial manner .....Class 4
- 9. Similarity to Other Work(s)**.....
- None known and not a satire or copy of another version; Other work is in the public domain .....Class 1
- Little similarity and very little satire; Other work has very little or no notoriety .....Class 2
- Similarity and some satire; Other work has some notoriety .....Class 3
- Similarity and satire; Other work has notoriety.....Class 4

**Additional Exposures**

- 10. CD (Sound Track), CD ROM, Other Computer Software or Web-Based Programs** .....
- None .....Class 1
- Motion picture sound track only.....Class 2
- Release on a limited basis.....Class 3
- Release on a wide basis.....Class 4
- 11. Merchandise Involved With the Work(s) or Website**.....
- Tie Ins
- None .....Class 1



Limited amount .....	Class 2
Some minor tie-ins and merchandise .....	Class 3
Major tie-ins and merchandise .....	Class 4

**Promotional use of Elements .....**

Title only .....	Class 1
Use of some characters only.....	Class 2
Use of all characters & other elements .....	Class 3
Completely original development of merchandising .....	Class 4

**Motion Picture Television, Filming or Publishing Activity**

*The following questions only applicable for such types of risk. Do not assign risk classification and related points if not applicable.*

**12. Motion Picture or Television Production(s)**

**Motion Picture Subject Matter and Content.....**

Fictional Story	
No true facts .....	Class 1
Based loosely on true facts with all names and identities changed, including locations.....	Class 2
Based on true facts.....	Class 3
True Story	
Told in a very positive light .....	Class 3
Told in a negative light.....	Class 4
Clips From Other Films or Footage; Photographs	
None .....	Class 1
Very few.....	Class 2
Used (Class depends on frequency and content) .....	Class 3 or 4
Pre-Released Music Score	
None .....	Class 1
Some .....	Class 2
Present, but all cleared.....	Class 3
Present with some clearance gaps.....	Class 4

**Television Subject Matter .....**

Not a news-based program, game show, documentary, talk show or variety show; An animation project .....	Class 1
Not a news-based program or documentary.....	Class 2
Not an investigative news-based program.....	Class 3
Investigative news-based program .....	Class 4

**Experience of the Producer and Director .....**

At least ten years .....	Class 1
At least five years.....	Class 2
At least two years.....	Class 3
Less than two years .....	Class 4

**Intended Format.....**

Video, cable and television release only; TV that is aired on PBS .....	Class 1
No theatrical release in the U.S., Canada or U.K. ....	Class 2
No theatrical release in the U.S. ....	Class 3

Theatrical release in the U.S.....	Class 4
<b>Length of the Production</b> .....	
30 minutes or less.....	Class 1
90 minutes or less.....	Class 2
120 minutes or less.....	Class 3
Over 120 minutes.....	Class 4
<b>Gross Production Cost</b> .....	
Under \$10,000,000.....	Class 1
Under \$50,000,000.....	Class 2
Under \$250,000,000.....	Class 3
Over \$250,000,000.....	Class 4

## Distribution or Library Exposures & Development

*The following questions only applicable for such types of risk. Do not assign risk classification and related points if not applicable.*

### 13. Product Exposure

<b>Age of the Product</b> .....	
Majority of works older than 25 years.....	Class 1
Majority of works between 10 -25 years.....	Class 2
Majority of works between 5 – 10 years.....	Class 3
Majority of works less than 5 years.....	Class 4
<b>Number of Product</b> .....	
Less than 100.....	Class 1
100- 1000.....	Class 2
1000 to 10000.....	Class 3
Over 10000.....	Class 4
<b>Other Insurance</b> .....	
All works in the library have or had other insurance for the first 5 years.....	Class 1
The majority of works have other insurance for the first 5 years.....	Class 2
Some works or most have other insurance for the first 3 years.....	Class 3
Can not show other insurance.....	Class 4
<b>Unsolicited material practices</b> .....	
Will not accept unsolicited material & have defined practices.....	Class 1
Have a defined policy for review of unsolicited material.....	Class 2
Use outside council to review unsolicited material.....	Class 3
Do not have a defined policy for unsolicited material.....	Class 4

## Music Exposures including Composers

*The following questions only applicable for such types of risk. Do not assign risk classification and related points if not applicable.*

### 13. Musical Works

<b>Composer and Lyricist</b> .....	
Not well known; No controversy & solo artist who composes & writes lyrics .....	Class 1
Not well known; No criminal or major controversy. Solo artists who collaborates.....	Class 2
Well-known; No criminal controversy. A Group who writes for themselves.....	Class 3
Very well known. A Group who collaborate .....	Class 4
<b>Experience of the Composer and Lyricist</b> .....	
At least ten years .....	Class 1
At least five years .....	Class 2
At least two years .....	Class 3
Less than two years .....	Class 4
<b>Compositions and Musicologist</b> .....	
Carefully review all compositions for infringement & use Professional Musicologist.....	Class 1
Carefully review all compositions for infringement but do not use a Musicologist.....	Class 2
Do spot checks & testing of compositions .....	Class 3
Do not have a consistent review of compositions .....	Class 4

## Computer or Web Exposures

*The following questions only applicable for such types of risk. Do not assign risk classification and related points if not applicable.*

<b>14. Websites</b> .....	
No hazardous content (such as gambling, professional services, sexual material, or information dealing with drugs, medical treatment, financial services, or violent products); No collection of personal information .....	Class 1
May include medical treatment or financial services; No collection of personal information.....	Class 2
May collect personal information .....	Class 3
Content involves hazardous content; Collects personal information .....	Class 4
<b>Purpose of the Site</b> .....	
Single use for a specific product .....	Class 1
Promotional site only for ongoing entity (i.e.: fan Club etc.) .....	Class 2
Predominantly Promotional site with minor transactions .....	Class 3
Fully transactional site or allows postings and chat rooms.....	Class 4
<b>15. Computer Programs used</b> .....	
All off the shelf programs with no back ground programming requirements with licenses .....	Class 1
All Third Party programs with specialty programs by third party vendors providing hold harmless and certificates of insurance with limits of no less than \$5,000,000 .....	Class 2
Some specialty programming creating images only or on a purchased platform only or Third Party vendors have limits less than \$5,000,000 .....	Class 3
The majority of the programming including back ground programs are created. ....	Class 4

## Attorney & Clearance of the Risk

*The following questions only applicable for certain types of risk. Do not assign risk classification and related points if not applicable. Only answers those that apply.*

**16. Clearance**

<b>Risk or Problems With the Clearance.....</b>	
None.....	Class 1
No major known adverse risk or problems.....	Class 2
Some known adverse risk or problems.....	Class 3
Known adverse risk or problems.....	Class 4
<b>Rights Secured Underlying works (Other Than Music).....</b>	
All rights secured.....	Class 1
All major rights secured.....	Class 2
Some gaps in the rights .....	Class 3
Some major gaps in the rights .....	Class 4
<b>Rights Secured Trademarks, logos, etc. (Other Than Music).....</b>	
All rights secured.....	Class 1
All major rights secured.....	Class 2
Some gaps in the rights .....	Class 3
Some major gaps in the rights .....	Class 4
<b>Rights Secured in Name &amp; Likeness (Other Than Music) .....</b>	
All rights secured.....	Class 1
All major rights secured.....	Class 2
Some gaps in the rights .....	Class 3
Some major gaps in the rights .....	Class 4
<b>Rights Secured in any other material, programs used (Other Than Music).....</b>	
All rights secured.....	Class 1
All major rights secured.....	Class 2
Some gaps in the rights .....	Class 3
Some major gaps in the rights .....	Class 4
<b>Music Rights .....</b>	
No ambiguities in the music or associated rights; All cleared or original compositions.....	Class 1
No major ambiguities; All major rights cleared or predominantly original compositions.....	Class 2
Some ambiguities; Most rights cleared; Pre-recorded compositions.....	Class 3
Some major ambiguities; Most rights cleared; Pre-recorded compositions.....	Class 4
<b>Copyright Report .....</b>	
Obtained with no ambiguities .....	Class 1 or 2
Obtained with some ambiguities .....	Class 3
Obtained with major ambiguities .....	Class 4
<b>Contractual Arrangements (Including Hold Harmless Agreements and Outside Insurance) .....</b>	
Full contractual protection with creators, authors, writers, owners of all material, outside producers and musicians;	
Merchandise\soundtrack manufacturers and distributors, etc .....	Class 1
Major contracts secured.....	Class 2
Some gaps in the contractual protection.....	Class 3
Some major gaps in the contractual protection.....	Class 4
<b>Clearance Attorney.....</b>	
Ten or more years experience .....	Class 1

**Underwriting  
Risk Hazard Classifications**

**- 10 -**

Five or more years experience .....	Class 2
Two or more years experience .....	Class 3
Less than two years experience .....	Class 4

## Class of Business Underwriting

### 1. Motion Picture and Television Production (Rates appear on page 18)

Use the General Underwriting Considerations outlined above.

### 2. Commercial Producers, Training Films, Industrials, Second Unit and Other Short Subject Productions Blanket Development and Library Policies (Rates appear on page 18)

Use the General Underwriting Considerations.

### 3. Motion Picture & Television Studio Accounts Development and Library Coverage (Rates appear on page 19)

This Class of Business must be underwritten carefully and has a significant severity potential. The Applicant's clearance procedures and contractual terms with production companies, particularly with respect to negative pick-ups and the experience level of the client's counsel, must be reviewed very carefully by the underwriter

### 4. Film Blanket Development, Library, Television, Cable or Motion Picture (Rates appear on page 19)

This Class of Business is for risks which are not considered major studios, mini-majors or major distributors

The underwriter must consider the specific Applicant's experience and type of product, but the General Underwriting Considerations may be used to review the risk.

Additionally, the underwriter must review the age of the productions in the library to determine the exposure. =

### 5. Film, Television or Cable Distributors Blanket Coverage, Including Library Coverage (Rates appear on page 19)

The main issue with distributors is to insure that we are contingent as intended by reviewing the Applicant's procedures and producer's contact, with regard to insurance and indemnification of the insured.

The comments in the second two paragraphs under Film Blanket Development, Library, Television, Cable or Motion Picture above also apply to this Class of Business.

### 6. Broadcasters Blanket Coverage, Including Library Coverage (Rates appear on page 19)

This Class of Business can be very volatile when the underwriter is faced with sensational shows such as Howard Stern. When dealing with this type of broadcast, use the Music Distributors rates and deductibles for that specific show, subject to detailed loss history, to determine if those are adequate. Other forms of broadcasts do not attract the same frequency of claims. The underwriter must review the Applicant's intended regular releases and make sure that the company counsel has reviewed several samples of the shows, the Applicant's clearance procedures and the experience of their counsel. A risk may not be bound without the written opinion of the company's counsel. Major networks must be reviewed as studio accounts. In most instances, a primary rather than a contingent exposure will be insured.

### 7. Theatrical Performances (Rates appear on page 19)

Use the General Underwriting Considerations.

### 8. Live Performances (Rates appear on page 20)

Use the General Underwriting Considerations. Pay special attention to the content of the show and the reputation of the performers.

### 9. Individual Performances, Music or Variety Live Performances (Rates appear on page 20)

Use the General Underwriting Considerations.

### 10. Performers/Talent (Rates appear on page 20)

If the Applicant uses material that identifies a person or business, attach endorsement **EO 331 - Trade Mark, Personal Information And Business Name Coverage**.

If the Applicant is a musical group or musical artist, the following exclusion applies:

This insurance does not apply to any Claim made or "Suit" brought by or on behalf of any person or organization that:

- a. Is or previously was (or alleges to be or have been) a member of the Insured's musical group; or
- b. Collaborated with or contributed to (or alleges to have collaborated with or contributed to) any creation, writing or compilation of any music composition.

The exclusion can be removed if the Applicant provides the names of all musicians that have been a part of the group and written acknowledgement that the Applicant has obtained releases from all persons or organizations who have worked for or with the group.

#### **11. Merchandising, Sound Track and CD Rom (Rates appear on page 20)**

Use the General Underwriting Considerations.

#### **12. Composers Music Blanket Coverage, Including Library Coverage (Rates appear on page 21)**

These accounts tend to be primary in nature. The underwriter must review the composer's library and the type of material being produced in addition to having the clearance procedures reviewed by the company counsel.

#### **13. Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage (Rates appear on page 21)**

This Class of Business must be underwritten carefully and has a significant severity potential. The Applicant's clearance procedures and contractual terms with the artists, as well as the experience level of the Applicant's counsel must be thoroughly reviewed by the underwriter and company counsel. A risk cannot be bound without the written opinion of company counsel. In most instances a primary rather than a contingent exposure will be insured.

#### **14. Music Publishers (Rates appear on page 21)**

Use the General Underwriting Considerations.

#### **15. Publications Companies Blanket Coverage, Including Library Coverage (Rates appear on page 21)**

This Class of Business can be very volatile when the underwriter is faced with sensational rags such as *The Inquirer*. When dealing with this type of publication, use the Music Distributors rates and studio deductibles, subject to detailed loss history, to determine if those are adequate. Other forms of publication do not attract the same frequency of suits. If the Applicant is releasing a regular publication, make sure that the company counsel has reviewed several samples of the publication, the Applicant's clearance procedures, contractual terms, and the experience of their counsel. A risk may not be bound without the written opinion of the company's counsel. In most instances, a primary rather than a contingent exposure will be insured.

#### **16. Websites, Internet Coverage (Rates appear on page 22)**

Use the General Underwriting Considerations. Only websites with fictional content are eligible.

## General Rules

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### 1. Policy Term

Policies are usually written for the expected term of a Specific Production. Policies may be written for any specific term for Specific Productions or Projects. Coverage for an Insured's Business Activity is to be written on an annual basis only.

### 2. Rounding Procedure

a. Rates

Round rates after the final calculation to three decimal places. Five tenths or more of a mill shall be considered one mill, for example, .1245=.125.

b. Premiums

Round the premium for each coverage for which a separate premium is calculated to the nearest whole dollar. Round a premium involving \$.50 or over to the next higher whole dollar.

### 3. Additional and Return Premium Changes

- a. Prorate all additional Premiums and return premiums, using the rates and rules in effect on the effective date of the policy.
- b. Additional or return premiums at or below \$15 may be waived.

### 4. Policy Cancellations

- a. Calculate earned premiums as follows (unless otherwise specified in the policy):

(1) Specific Projects are to be:

a. Fully Earned at binding; or

b. For risks with specific contractual requirements or a long term before they are exploited or distributed; 50% of the premium is earned prior to the Specific Project being first exploited. 100% of the premium is earned once the Specific Production is exploited the first time.

(2) All other premiums, including blanket premiums on libraries of films or any auditable policy, are earned over the entire policy term or based on the premium basis indicated in the policy subject to any minimum premiums.

b. Pro rata Cancellations

Compute return premium of the unearned premium and round to the next higher whole dollar.

c. Other Cancellations

Compute return premium on all other cancellations at .90 of the pro rata unearned premium and round to the next higher whole dollar (Short Rate Cancellation).

d. Retention of Minimum Premium

Retain any applicable minimum premium when return premium is calculated except when a policy is cancelled as of the inception date. (Refer to Rating Rule 6.)



## Rating Rules

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### 1. Basic Rates

Company rates contemplate the following terms:

- a. An annual policy
- b. New business
- c. Limit of Liability of Insurance:
  - \$1,000,000 each Wrongful Act; \$1,000,000 Aggregate Limit with respect to the following Classes of Business:
    - Performers/Talent
    - Composers Music Blanket Coverage, Including Library Coverage
    - Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage
    - Music Publishers
    - Publication Companies Blanket Coverage, Including Library Coverage
    - Websites, Internet Coverage
  - \$1,000,000 each Wrongful Act; \$3,000,000 Aggregate Limit with respect to other Classes of Business

- d. Deductible Amounts:

Table 1: \$25,000 each Wrongful Act with respect to the following Classes of Business:

- Performers/Talent
- Composers Music Blanket Coverage, Including Library Coverage
- Music Publishers

Table 2: \$10,000 each Wrongful Act with respect to other Classes of Business, other than the following:

- Motion Picture and Television Studio Accounts Development and Library Coverage
- Broadcasters Blanket Coverage, Including Library Coverage
- Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage
- Publication Companies Blanket Coverage, Including Library Coverage

The size of the minimum Deductible Amount for these Classes of Business depends on the amount of Gross Revenue or Gross Production Cost.

- e. Defense Costs reduce (are inside) the Limit of Liability of Insurance
- f. Extended Reporting Period

For terms other than the above, refer to the Coverage Adjustment Factors in paragraph 5. below.

### 2. Range Rates

Rates in the Rates Section are shown in ranges. The underwriter should select a rate based on the Risk Hazard Classification assigned to the Applicant. (Refer to page 10 above.)

Class 1 – The bottom to the middle of the indicated rate range

Class 2 – From just below the middle of the rate range to above the middle of the rate range

Class 3 – Above the middle of the rate range

Class 4 – Maximum of the rate range to above the maximum of the rate range

### 3. Rate Determination

- a. Determine the applicable Class of Business. (Refer to page 14 above).
- b. Select the specific rate from the Range Rates in the Rates Section, per Rating Rule 2. above.
- c. Adjust the base rate to reflect any coverage changes, renewal credit, or individual risk modifications.

### 4. Premium Computation

- a. Multiply the rate determined in Rating Rule 3. above by the appropriate premium basis.
- b. Determine the application of any minimum premiums.

- c. Determine any other additional premiums.
- d. Add the premium determined in paragraphs a. or b., whichever is greater, to the premium determined in Paragraph c. to obtain the total policy premium.
- e. Use the premium developed under paragraph d. or the Minimum Policy Premium, whichever is greater.

## 5. Coverage Adjustment Factors

### a. Policy Term Increase Factors

On Specific Productions only the Policy Term Factors are:

Basic rates contemplate a one year policy term. For policy terms longer than one year, apply the following factors:

Two Years.....	up to 175%
Three Years .....	up to 200%
Four Years .....	up to 225%
Five Years.....	up to 250%

### b. Renewal Credits for Specific Productions

Basic rates contemplate new business. Apply the following credits to renewal business for exploited, released/distributed Declared Production Activities for at least one year, subject to the Renewals Underwriting Rule on page 17 above.

One Year after release/distribution...	Up to 25% Credit
Two Years after release/distribution .	Up to 35% Credit
Three Years after release/distribution	Up to 50% Credit
Four Years after release/distribution	Up to 65% Credit
Five Years after release/distribution .	Up to 75% Credit

### c. Increased or Decreased Limits of Insurance

Basic rates contemplate Limit of Liability of Insurance of \$1,000,000 Each Wrongful Act, \$1,000,000 Aggregate Limit for the following Classes of Business: Performers/Talent, Composers Music Blanket Coverage, Music Distributors and Major Record Labels Blanket Coverage, Music Publishers, Publications Companies Blanket Coverage, and Website/ Internet Coverage.

Basic rates contemplate \$1,000,000 Each Claim, \$3,000,000 Aggregate for all other Classes of Business.

Apply the factors below to calculate different Limits. Table 1 applies to \$1,000,000/\$1,000,000 basic Limit of Liability.

Table 2 applies to \$1,000,000/\$3,000,000 basic Limit of Liability.

<u>Limit of Liability</u>	<u>Table 1</u>	<u>Table 2</u>
\$100,000 Each Wrongful Act, \$100,000 Aggregate	0.65.....	0.55
\$250,000 Each Wrongful Act. \$250,000 Aggregate	0.76.....	0.66
\$500,000 Each Wrongful Act, \$500,000 Aggregate	0.875.....	0.775
\$1,000,000 Each Wrongful Act , \$1,000,000 Aggregate	1.00.....	0.90
\$1,000,000 Each Wrongful act, \$3,000,000 Aggregate.	1.10.....	1.00
\$1,000,000 Each Wrongful Act, \$5,000,000 Aggregate	1.20.....	1.10
\$2,000,000 Each Wrongful Act, \$5,000,000 Aggregate	1.35.....	1.25
\$3,000,000 Each Wrongful Act, \$5,000,000 Aggregate	1.45.....	1.40
\$4,000,000 Each Wrongful Act, \$5,000,000 Aggregate	1.60.....	1.50
\$5,000,000 Each Wrongful Act, \$5,000,000 Aggregate	1.70.....	1.60
\$5,000,000 Each Wrongful Act, \$10,000,000 Aggregate	Refer to Carrier	
\$10,000,000 Each Wrongful Act, \$10,000,000 Aggregate	Refer to Carrier	

For increases in Limit of Liability after the policy is bound, Underwriter must obtain a letter of no known or reported losses, incidents or Wrongful Acts, from the Insured..

#### d. Increased or Decreased Deductible Amounts

Deductible Amounts	Classes of Business
\$25,000	<ul style="list-style-type: none"> <li>• Performers/Talent</li> <li>• Composers Music Blanket Coverage, Including Library Coverage</li> <li>• Music Publishers</li> </ul>
\$10,000	For all other classes except for those listed below

When the basic Deductible Amount is \$10,000 or \$25,000, apply the adjustment factors below to calculate different Deductible Amounts and attach endorsement **EO 350 – Special Deductible**.

Table 1 applies to a \$10,000 basic deductible. Table 2 applies to a \$25,000 basic deductible.

Deductible Amount	Table 1	Table 2
Nil.....	+25%	+50%
\$2,500.....	+20%	+45%
\$5,000.....	+15%	+40%
\$7,500.....	+10%	+35%
\$10,000.....	0	+25%
\$15,000.....	-15%	+10%
\$20,000.....	-20%	+05%
\$25,000.....	-25%	0
\$50,000.....	-30%	-05%
\$75,000.....	-35%	-10%
\$100,000.....	-40%	-15%

#### e. Defense Costs Payable In Addition to (Outside) the Limit of Liability

Basic rates contemplate that Defense Costs reduce (are inside) the Limit of Liability. To provide for the payment of Defense Costs in addition to (outside) the Limit of Liability, apply a 50-100% surcharge and attach endorsement **EO 323 – Defense Costs In Addition To The Policy Limits**.

#### f. Extended Reporting Period

An Extended Reporting Period is available from one year to five years. The ERP may be offered by applying the following factors to the expiring premium:

One Year..... up to 100%

I Three Years ..... up to 150%

I Five Years ..... up to 200%

Additional extended reporting periods in excess of the above may be considered, refer to carrier

#### g. Pending and Prior Exclusion

The underwriter will place a "Pending and Prior Date" on the Declaration page when they are binding a policy. . This will provide prior acts coverage but will exclude any "Wrongful Act" that the had commenced in any form of notice to the Insured. The Pending and Prior Date will be effective the date they purchase the coverage. Such date may be backdated to match the current terms and coverage should the policy be a renewal or replacement of similar insurance.

## 6. Subject Matter/Content Surcharge

The following surcharges apply to all Classes of Business and Specific Productions unless otherwise indicated in the Rates Section:

### Subject Matter/Content

Entirely fictional.....	No Surcharge
Entirely fictional, but inspired by actual events.....	Up to 50% Surcharge
Portrayal of actual facts, but including fiction .....	Up to 100% Surcharge
True portrayal of actual facts .....	Up to 25% Surcharge
Investigative News.....	Over 50%

## 7. Minimum Premiums

- a. Special Minimum Premiums apply to the following Classes of Business. Refer to the applicable paragraph in the Rates Section below:

- Commercial Producers, Training Films, Industrials, Second Unit and Other Short Subject Productions Blanket Development and Library Policies
- Motion Picture & Television Studio Accounts Development and Library Coverage
- Film, Television or Cable Distributors Blanket Coverage, Including Library Coverage
- Broadcasters Blanket Coverage, Including Library Coverage
- Merchandising, Sound Track and CD Rom
- Composers Music Blanket Coverage, Including Library Coverage
- Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage
- Music Publishers
- Publications Companies Blanket Coverage, Including Library Coverage
- Websites, Internet Coverage

- b. The following minimum premiums apply to other Classes of Business; regardless of the term of coverage is \$1,500:

<u>Limits of Insurance</u>	<u>Minimum Premium</u>
\$1,000,000/\$3,000,000 or less .....	\$2,500 (Policy Minimum Premium)
\$2,000,000/\$2,000,000.....	\$3,000
\$2,000,000/\$3,000,000.....	\$3,500
\$3,000,000/\$3,000,000.....	\$4,500
\$4,000,000/\$4,000,000.....	\$6,000
\$5,000,000/\$5,000,000.....	\$7,500

The minimum premiums are based on a charge of \$1,000 per \$1,000,000 of Each Wrongful Act Limit of Liability and \$500 per \$1,000,000 of Aggregate Limit of Liability. These factors may be used to interpolate for limits not shown.

## Rates

These rates contemplate the terms described in Rating Rule 1 - Basic Rates. The Target Rate contemplates an average risk in the applicable Class of Business.

The underwriter must select a specific rate in accordance with Rating Rule 2 - Range Rates. Any risk that warrants rates either above or below the published ranges must be referred to the Director of Underwriting.

### 1. Motion Picture and Television Production

Rates apply per Declared Production Activity. The Subject Matter/Content Surcharge (Rating Rule 6. above) does not apply to Documentary productions. Standard limits and deductibles.

<u>Type of Specific Production</u>	<u>Rate Range</u>
Motion Picture for Theatrical Release .....	\$5,000 - \$50,000
Movie of the Week; Mini-Series; Video Up to Two Hour Specials .....	\$2,500 - \$35,000
Television Special or Pilot (30 Minutes to One Hour).....	\$2,000 - \$25,000
- Discount by 25% if less than 30 minutes	
- A Pilot may be discounted 25% when the series is declared within 12 months after the pilot is declared.	
Television Series .....	\$100 - \$5,500
- Apply a 10% surcharge when a series has less than 13 episodes declared at inception.	
- A 10% credit may be applied when more than 13 episodes are declared to a series at inception.	
- A 20% credit may be applied when more than 22 episodes are declared to a series at inception.	
Documentary (Includes Actual Facts Surcharge).....	\$2,000 - \$15,000
Investigative News Programs .....	\$100 - \$100,000
Library of Old Episodes .....	\$10 - \$500
One-Off Commercials, Music Videos, etc.....	\$1,000 - \$5,000

### 2. Commercial Producers, Training Films, Industrials, Second Unit and Other Short Subject Productions Blanket Development and Library Policies

Rates apply per \$100 of Gross Production Costs.

#### Contingent Coverage

The customer/ad Agency creates the production idea, and the production company is filming another's creation.

<u>Estimated Gross Production Costs</u>	<u>Rate Range</u>
\$5,000,000 or less .....	\$0.075 - \$0.10
\$5,000,001 to \$10,000,000.....	\$0.05 - \$0.075
\$10,000,001 to \$25,000,000.....	\$0.03 - \$0.05
More than \$25,000,000 .....	\$0.02 - \$0.03

#### Primary Coverage

The production company is the creative force behind the production.

<u>Estimated Gross Production Costs</u>	<u>Rate Range</u>
\$1,000,000 or less .....	\$0.20 - \$0.25
\$1,000,001 to \$5,000,000.....	\$0.15 - \$0.20
\$5,000,001 to \$10,000,000.....	\$0.10 - \$0.15.....

\$10,000,001 to \$25,000,000.....	\$0.05 - \$0.10
More than \$25,000,000 .....	\$0.03 - \$0.05

### 3. Motion Picture & Television Studio Accounts Development and Library Coverage

Rates apply per \$100 of annual Gross Production Costs.

<u>Estimated Gross Production Costs</u>	<u>Rate Range</u>
\$100,000,000 or less .....	\$0.25 - \$0.50
\$100,000,001 to \$250,000,000.....	\$0.20 - \$0.25
\$250,000,001 to \$500,000,000.....	\$0.15 - \$0.20
\$500,000,001 to \$1,000,000,000.....	\$0.10 - \$0.15
More than \$1,000,000,000 .....	\$0.05 - \$0.10

Deductibles for this risk need to be set individually and can be aggregates, due to the nature of each studio.

### 4. Film Blanket Development, Library, Television, Cable or Motion Picture

Premiums apply to the size of the library or annual revenue. Minimum Premium for class is \$2,500.

<u>Size of the Library or</u>	<u>Annual Revenue</u>	<u>Premium Range</u>	<u>Rate Range</u>
Less than 50 productions .....	Less than \$10,000,000.....	\$2,500 - \$10,000	\$.03 - .10
50 to 99 productions .....	\$10,000,000 but less than \$25,000,000.....	\$5,000 - \$20,000	\$.02 - .08
100 to 249 productions .....	\$25,000,000 but less than \$35,000,000.....	\$7,500 - \$50,000	\$.015-.07
250 to 499 productions .....	\$35,000,000 but less than \$50,000,000.....	\$25,000 - \$75,000	\$.01-.06
500 to 999 productions .....	\$50,000,000 but less than \$100,000,000.....	\$35,000 - \$100,000	\$.008 - .05
1,000 or more productions.....	\$100,000,000 or more.....	Refer to Carrier	

### 5. Film, Television or Cable Distributors Blanket Coverage, Including Library Coverage

Rates apply per \$100 of Gross Revenue. Premiums apply to the size of the library or Gross Revenue. Minimum Premium for class \$2,500.

<u>Size of the Library</u>	<u>Gross Revenue</u>	<u>Rate Range</u>
Less than 50 productions .....	Less than \$5,000,000.....	\$0.05 - \$0.15
50 to 99 productions .....	\$5,000,001 to \$10,000,000.....	\$0.03 - \$0.10
100 to 249 productions .....	\$10,000,001 to \$25,000,000.....	\$0.02 - \$0.08
250 or more productions.....	Over \$25,000,000.....	\$0.01 - \$0.06

or

<u>Size of the Library</u>	<u>Gross Revenue</u>	<u>Premium Range</u>
Less than 50 productions .....	Less than \$5,000,000.....	\$2,500 - \$15,000
50 to 99 productions .....	\$5,000,001 to \$10,000,000.....	\$5,000 - \$25,000
100 to 249 productions .....	\$10,000,001 to \$25,000,000.....	\$7,500 - \$50,000
250 or more productions.....	Over \$25,000,000.....	Over \$20,000

### 6. Broadcasters Blanket Coverage, Including Library Coverage

Rates apply per \$100 of gross revenue.

<u>Estimated Gross Revenue</u>	<u>Rate Range</u>	<u>Premium Range</u>
Less than \$10,000,000 .....	\$0.05 - \$0.25 .....	\$2,500 - \$15,000
\$10,000,001 to \$25,000,000.....	\$0.025 - \$0.20 .....	\$5,000 - \$25,000

\$25,000,001 to \$50,000,000.....	\$0.015 - \$0.15 .....	\$7,500 - \$50,000
\$50,000,001 to \$100,000,000.....	\$0.0005 - \$0.125 .....	\$10,000 - \$65,000
More than \$100,000,000 .....	\$0.00025 - \$0.105.....	\$15,000 - \$1,000,000

## 7. Theatrical Performances

Rates apply per Specific Production.

<u>Type of Specific Production</u>	<u>Rate Range</u>
Theatrical Performances .....	\$2,000 - \$25,000

## 8. TV Strip Shows

Rates apply per Specific Production.

<u>Type of Specific Production</u> .....	<u>Rate Range</u>
TV Strip Shows .....	\$25 - \$1,000

Other Shows: Use the Television rates under Motion Picture and Television Production above.

## 9. Individual Performances, Music or Variety Live Performances

Rates apply per Specific Production.

<u>Length of Performance</u>	<u>Rate Range</u>
Less than one hour .....	\$1,000 - \$5,000
One hour to two hours .....	\$2,000 - \$8,000
Over two hours .....	\$3,000 - \$10,000

## 10. Performers/Talent

Premiums apply to the number of performances. Rates apply per \$100 of gross revenue.

Premiums and rates are subject to the Subject Matter Surcharge below.

<u>No. of Performances</u>	<u>Gross Revenue</u>	<u>Premium Range</u>	
Less than 50 .....	Less than \$5,000,000.....	\$5,000 - \$10,000	\$5,000
50 to 99.....	\$5,000,000 but less than \$10,000,000.....	\$10,000 - \$15,000	
100 to 249.....	\$10,000,000 but less than \$25,000,000.....	\$15,000 - \$25,000	
250 to 499.....	\$25,000,000 but less than \$50,000,000.....	\$25,000 - \$50,000	
500 or more .....	\$50,000,000 or more.....	\$50,000 - \$100,000	
<u>No. of Performances</u>	<u>Gross Revenue</u>	<u>Rate Range</u>	
Less than 50 .....	Less than \$5,000,000.....	\$0.25 - \$1.00	
50 to 99.....	\$5,000,000 but less than \$10,000,000.....	\$0.15 - \$0.75	
100 to 249.....	\$10,000,000 but less than \$25,000,000.....	\$0.10 - \$0.65	
250 to 499.....	\$25,000,000 but less than \$50,000,000.....	\$0.05 - \$0.55	
500 or more .....	\$50,000,000 or more.....	\$0.01 - \$0.50	

## Subject Matter Surcharge

### Subject Matter

Music Only .....	No Surcharge
Comedy .....	Up to 15% Surcharge
Magician .....	Up to 15% Surcharge
Variety.....	Up to 25% Surcharge
Political or Religious .....	Up to 100% Surcharge

## 11. Merchandising, Sound Track and CD Rom

Rates apply to each \$100 of revenue from the sales of merchandise, sound tracks or CD Rom's

### As Part of An Insured Production

<u>Estimated Revenue</u>	<u>Rate Range</u>
Less than \$1,000,000 .....	\$0.25 - \$0.75
\$1,000,000 but less than \$2,500,000 .....	\$0.15 - \$0.50
\$2,500,000 but less than \$5,000,000 .....	\$0.10 - \$0.50
More than \$5,000,000 .....	\$0.05 - \$0.30

### Stand-Alone Coverage

<u>Estimated Revenue</u>	<u>Rate Range</u>
Less than \$1,000,000 .....	\$0.50 - \$1.50
\$1,000,000 but less than \$2,500,000 .....	\$0.30 - \$1.00
\$2,500,000 but less than \$5,000,000 .....	\$0.20 - \$1.00
More than \$5,000,000 .....	\$0.10 - \$0.60

## 12. Composers Music Blanket Coverage, Including Library Coverage

Rates apply per \$100 of gross revenue.

<u>Estimated Gross Revenue</u>	<u>Rate Range</u>
Less than \$5,000,000 .....	\$1.00 - \$1.50
\$5,000,001 to \$10,000,000.....	\$0.50 - \$1.00
\$10,000,001 to \$25,000,000.....	\$0.35 - \$0.50
\$25,000,001 to \$50,000,000.....	\$0.25 - \$0.35
More than \$50,000,000 .....	\$0.15 - \$0.25

## 13. Music Distributors and Major Record Labels Blanket Coverage, Including Library Coverage

Rates apply per \$100 of gross revenue.

<u>Estimated Gross Revenue</u>	<u>Rate Range</u>
Less than \$10,000,000 .....	\$2.00 - \$2.50
\$10,000,001 to \$25,000,000.....	\$0.50 - \$2.00
\$25,000,001 to \$50,000,000.....	\$0.35 - \$1.50



\$50,000,001 to \$100,000,000.....	\$0.25 - \$1.25
More than \$100,000,000 .....	\$0.15 - \$1.15

#### 14. Music Publishers

Rates apply per \$100 of gross revenue.

<u>Estimated Gross Revenue</u>	<u>Rate Range</u>
Less than \$10,000,000 .....	\$1.00 - \$2.50
\$10,000,000 but under \$25, 000,000 .....	\$0.50 - \$2.50
\$25,000,001 but under \$50,000,000 .....	\$0.35 - \$2.00
\$50,000,001 but under \$100,000,000 .....	\$0.25 - \$1.50
More than \$100,000,000 .....	\$0.15 - \$1.00

Music publishers who publish and license compositions of third parties only: Discount above rates by 15%.

#### 15. Publications Companies Blanket Coverage, Including Library Coverage

Rates apply per \$100 of gross revenue.

<u>Estimated Gross Revenue</u>	<u>Rate Range</u>
Less than \$10,000,000 .....	\$0.05 - \$0.15
\$10,000,001 to \$25,000,000.....	\$0.025 - \$0.05
\$25,000,001 to \$50,000,000.....	\$0.015 - \$0.025
\$50,000,001 to \$100,000,000.....	\$0.0005 - \$0.015
More than \$100,000,000 .....	\$0.00025 - \$0.010

#### 16. Websites, Internet Coverage

Rates apply per \$100 of gross receipts.

<u>Estimated Gross Receipts</u>	<u>Rate Range</u>
Less than \$1,000,000 .....	\$0.65 - \$2.50 .....
\$1,000,000 but less than \$5,000,000 .....	\$0.60 - \$2.00
\$5,000,000 but less than \$10,000,000 .....	\$0.50 - \$1.50
\$10,000,000 but less than \$25,000,000 .....	\$0.35 - \$1.00
More than \$25,000,000 .....	\$0.25 - \$0.75

Cell phone games, handheld products, ring tones or computer games: Surcharge rates and premiums by 25%.

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All Limit of Liability and Deductible tables allow for linear interpolation for intermediate values within the tables above.

All Limit of Liability and Deductible tables allow for linear extrapolation should rating development requirements fall outside of suggested parameters above

## DESCRIPTION OF COVERAGE

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The Media Perils Insurance policy provides coverage for:

1. **Media Perils Coverage**  
Liability for damages arising out of Wrongful Acts committed in the course of the Named Insured's Declared Production Activities and/or Business Activities whether in connection with a specific project or standard business practices. Coverage applies on a claims-made basis. The policy contains an Extended Reporting Period with respect to claims arising out of a Wrongful Act and the Named Insured has **60 days** to elect the ERP. There is a 30 day post policy reporting provision with respect to a Wrongful Act that occurred during the Policy Period however not yet reported. Prior Acts are not excluded. The Policy does however have a Pending and Prior date to exclude Wrongful Acts underlying or alleged in any prior or pending litigation brought prior to such date.
2. **Indemnities Coverage**  
Coverage is extended to third party indemnitees with which an Insured has a written contract obligating the Insured to indemnify, hold harmless or defend such third party against claims brought by another third party arising out of a Declared Production Activity.
3. **Court Injunction Coverage**  
Defense against Suits seeking an injunction against any exhibition, publication or performance of a Specific Production because of a Wrongful Act to which Media Perils Insurance applies.

Defense Costs reduce the Limit of Liability.

For full details of coverage, refer to the Coverage Form **EBI EO 200**.

SERFF Tracking Number: PERR-125561672 State: Arkansas  
 Filing Company: Employer's Fire Insurance Company State Tracking Number: #102044 \$100  
 Company Tracking Number: OBIC-PL-ELS-AR-08-01-R  
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0019 Professional Errors & Omissions Liability  
 Product Name: Entertainment, Leisure and Sports  
 Project Name/Number: OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R

## Supporting Document Schedules

**Satisfied -Name:** Uniform Transmittal Document-Property & Casualty **Review Status:** Filed 05/07/2008  
**Comments:**  
**Attachments:**  
 2007 NAIC PCTD-R.pdf  
 2007 NAIC RRFS.pdf

**Bypassed -Name:** NAIC Loss Cost Filing Document for OTHER than Workers' Comp **Review Status:** Filed 05/07/2008  
**Bypass Reason:** Not Applicable  
**Comments:**

**Bypassed -Name:** NAIC loss cost data entry document **Review Status:** Filed 05/07/2008  
**Bypass Reason:** Not Applicable  
**Comments:**

**Satisfied -Name:** Memo and Letter of Authorization **Review Status:** Filed 05/07/2008  
**Comments:**  
**Attachments:**  
 Filing Memorandum R 2008 \_Professional.pdf  
 OneBeacon authorization letter 2008.pdf

## Property & Casualty Transmittal Document

<b>1. Reserved for Insurance Dept. Use Only</b>	<b>2. Insurance Department Use only</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td colspan="2">a. Date the filing is received:</td></tr> <tr><td colspan="2">b. Analyst:</td></tr> <tr><td colspan="2">c. Disposition:</td></tr> <tr><td colspan="2">d. Date of disposition of the filing:</td></tr> <tr><td colspan="2">e. Effective date of filing:</td></tr> <tr> <td style="width: 60%;">New Business</td> <td></td> </tr> <tr> <td>Renewal Business</td> <td></td> </tr> <tr><td colspan="2">f. State Filing #:</td></tr> <tr><td colspan="2">g. SERFF Filing #:</td></tr> <tr> <td>h. Subject Codes</td> <td></td> </tr> </table>	a. Date the filing is received:		b. Analyst:		c. Disposition:		d. Date of disposition of the filing:		e. Effective date of filing:		New Business		Renewal Business		f. State Filing #:		g. SERFF Filing #:		h. Subject Codes	
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<b>3. Group Name</b>	<b>Group NAIC #</b>
White Mountain Insurance Group	1129

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
Employer's Fire Insurance Company	MA	20648	04-1288420	


<b>5. Company Tracking Number</b>	<b>OBIC-PL-ELS-AR-08-01-R</b>
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**Contact Info of Filer(s) or Corporate Officer(s)** [include toll-free number]

6. Name and address	Title	Telephone #s	FAX #	e-mail
Neresa Torres 881 Alma Real Drive, Suite 205 Pacific Palisades, CA 90272	Filing Analyst	888-201-5123 x 111	310-230-8529	doi@perrknight.com

7. Signature of authorized filer	
8. Please print name of authorized filer	Neresa Torres

**Filing information** (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	17.0000 Other Liability-Occ/Claims Made
10. Sub-Type of Insurance (Sub-TOI)	17.0019 Professional Errors and Omissions Liability
11. State Specific Product code(s) (if applicable)[See State Specific Requirements]	N/A
12. Company Program Title (Marketing title)	Entertainment, Leisure and Sports Program
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input checked="" type="checkbox"/> Rates/Rules <input type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)
14. Effective Date(s) Requested	New: April 19, 2008      Renewal:
15. Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16. Reference Organization (if applicable)	N/A
17. Reference Organization # & Title	N/A
18. Company's Date of Filing	March 20, 2008
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

## Property & Casualty Transmittal Document—

<b>20.</b>	<b>This filing transmittal is part of Company Tracking #</b>	<b>OBIC-PL-ELS-AR-08-01-R</b>
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<b>21.</b>	<b>Filing Description</b> [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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On behalf of Employers' Fire Insurance Company (the "Company"), we are submitting this filing to introduce a new Entertainment, Leisure and Sports Program. Please see the enclosed memorandum and supporting material for more detailed information.

The Company respectfully requests that the proposed rates and rules be implemented for all policies effective April 19, 2008 or upon earliest possible date of acknowledgment or approval.

<b>22.</b>	<b>Filing Fees</b> (Filer must provide check # and fee amount if applicable) [If a state requires you to show how you calculated your filing fees, place that calculation below]
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**Check #:** 102044  
**Amount:** \$100.00

**Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.**

**\*\*\*Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)**

**RATE/RULE FILING SCHEDULE**

(This form must be provided ONLY when making a filing that includes rate-related items such as Rate; Rule; Rate & Rule; Reference; Loss Cost; Loss Cost & Rule or Rate, etc.)

(Do not refer to the body of the filing for the component/exhibit listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	OBIC-PL-ELS-AR-08-01-R
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2.	This filing corresponds to form filing number (Company tracking number of form filing, if applicable)	OBIC-PL-ELS-AR-08-01-F
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☐ Rate Increase      ☐ Rate Decrease      ☒ Rate Neutral (0%)

3.	Filing Method (Prior Approval, File & Use, Flex Band, etc.)	Prior Approval
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4a.	Rate Change by Company (As Proposed)						
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change (where required)	Minimum % Change (where required)
Employer's Fire Insurance Company	0	0	0	0	0	0	0

4b.	Rate Change by Company (As Accepted) For State Use Only						
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change (where required)	Minimum % Change (where required)

Overall Rate Information (Complete for Multiple Company Filings only)			
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		COMPANY USE	STATE USE
5a.	Overall percentage rate indication (when applicable)		
5b.	Overall percentage rate impact for this filing		
5c.	Effect of Rate Filing – Written premium change for this program		
5d.	Effect of Rate Filing – Number of policyholders affected		

6.	Overall percentage of last rate revision	N/A
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7.	Effective Date of last rate revision	N/A
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8.	Filing Method of Last filing (Prior Approval, File & Use, Flex Band, etc.)	N/A
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9.	Rule # or Page # Submitted for Review	Replacement or Withdrawn?	Previous state filing number, if required by state
01	Rating Manual Page 1 thru 22	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	
02	Arkansas Exception Page Page 1 thru 1	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	
03		<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	

## **Filing Memorandum**

### **Entertainment, Leisure and Sports Program**

#### **Professional Line of Business**

The Entertainment, Leisure and Sports Program is a new program to OneBeacon Insurance Group. The underwriting, forms, rates and rules are tailored to the Entertainment Business.

The filed Manual comprises a simple method for developing a premium that is rate level adequate, non-excessive and non-discriminatory. The rates/rules are drawn from that of competitors. We forecast similar expense loads and have similar profitability assumptions and therefore follow their rates very closely. The independent forms and endorsements we are filing are designed to meet the specialized coverage needs of the entertainment business.

Policies underwritten within this program will be subject to the rates and rules in the filed Program Rate Manual. Our rates and underwriting considerations offer an admitted market at costs more reasonable than would be incurred by the policyholder if the only alternative was to secure coverage in the surplus lines marketplace.



February 13, 2008

To Whom It May Concern:

Perr&Knight, Inc. is hereby authorized to submit rate, rule, and form filings on behalf of the following companies, members of the OneBeacon Insurance Group:

OneBeacon Insurance Company	NAIC Number 1129-21970; FEIN 23-1502700
OneBeacon America Insurance Company	NAIC Number 1129-20621; FEIN 04-2475442
OneBeacon Midwest Insurance Company	NAIC Number 1129-42650; FEIN 04-3131487
Employers' Fire Insurance Company	NAIC Number 1129-20648; FEIN 04-1288420
Camden Fire Insurance Association	NAIC Number 1129-21946; FEIN 21-0418860
Atlantic Specialty Insurance Company	NAIC Number 1129-27154; FEIN 13-3362309
York Insurance Company	NAIC Number 1129-31267; FEIN 01-0286287

This authorization includes providing additional information and responding to questions regarding the filings on our behalf as necessary. This authorization is deemed to be in effect until rescinded in writing.

Please direct all correspondences and inquiries related to this filing to Perr&Knight, Inc. at the following address:

State Filings Department  
Perr&Knight, Inc.  
881 Alma Real Drive, Suite 205  
Pacific Palisades, CA 90272  
Phone: (310) 230-9339 x120  
Fax: (310) 230-1061

Please contact me if you have any questions regarding this authorization.

Sincerely,

A handwritten signature in cursive script that reads "Cheryl R. Turner". The signature is written in dark ink and is positioned to the left of a vertical line.

Cheryl Turner  
AVP  
Phone: (781) 332-7202  
e-mail: CTurner@onebeacon.com



*SERFF Tracking Number:*      *PERR-125561672*      *State:*      *Arkansas*  
*Filing Company:*      *Employer's Fire Insurance Company*      *State Tracking Number:*      *#102044 \$100*  
*Company Tracking Number:*      *OBIC-PL-ELS-AR-08-01-R*  
*TOI:*      *17.0 Other Liability - Claims Made/Occurrence*      *Sub-TOI:*      *17.0019 Professional Errors & Omissions Liability*  
  
*Product Name:*      *Entertainment, Leisure and Sports*  
*Project Name/Number:*      *OBIC-PL-ELS-AR-08-01-R/OBIC-PL-ELS-AR-08-01-R*

## Superseded Attachments

Please note that all items on the following pages are items, which have been replaced by a newer version. The newest version is located with the appropriate schedule on previous pages. These items are in date order with most recent first.

<b>Original Date:</b>	<b>Schedule</b>	<b>Document Name</b>	<b>Replaced Date</b>	<b>Attach Document</b>
No original date	Rate and Rule	Arkansas Exception Page	03/20/2008	Media Perils Flat Manual 2008 Exception Page ARKANSAS.pdf

## DESCRIPTION OF COVERAGE

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The Media Perils Insurance policy provides coverage for:

1. **Media Perils Coverage**  
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Defense Costs reduce the Limit of Liability.

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